

IN RE: PETITIONS FOR SPECIAL HEARING &  
ZONING VARIANCE  
W/S Reisterstown Road, 100 ft.  
SW of Sudbrook Lane  
1110 Reisterstown Road  
3rd Election District  
2nd Councilmanic District  
Schwaber Trust II  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-248-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Variance for the property located at 1110 Reisterstown Road in Pikesville. The Petition is filed by the property owner, Schwaber Trust II by Sidney Weiman, Trustee. Variance relief is requested from Section 409.8.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to validate an existing parking setback from the street right of way of 8 ft. in lieu of the required 10 ft.; from Section 409.6.A.2 of the B.C.Z.R. to permit a total of 44 parking spaces in lieu of the required 46; and from Section 409.8.B.2.c of the B.C.Z.R. to permit deliveries, loading and unloading from an existing parking area previously approved in a residential zone.

As to the Petition for Special Hearing, approval is sought to remove the existing special exception use for a theatre previously granted in case No. 71-152-SPH; to reaffirm the use of commercial parking in a residential zone and to remove the conditions on said parking thereby modifying the site plan in the previous zoning case consistent with the present use, parking and design of the site; and to permit the continued use of a business sign at the entrance to the commercial parking lot in the residential zone. All of the relief requested are more particularly shown on Petitioner's Exhibit No. 1, the revised site plan.

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Date 2/10/94  
By Sh. Frank

Appearing at the hearing was Thomas J. Hoff, the landscape architect from Hoff and Antonucci Associates, who prepared the site plan. Also present was Stanley Ginsberg, tenant of the subject property and Gerald Zuckerman, a nearby property owner. Gabriel W. Rosenbush, Jr., Chairman of the Zoning Committee for the Pikesville Chamber of Commerce was also present. The Petitioner was represented by Howard J. Alderman, Jr., Esquire. There were no Protestants present.

Testimony and evidence presented was that the subject site is approximately .68 gross acres in area and is split zoned B.L.-C.N.S. and D.R.5.5. The property fronts Reisterstown Road in the Pikesville business district. The subject site is "T" shaped in configuration, with the stem of the T located adjacent to Reisterstown Road and the cross to the rear of the site. In fact, access to the property from the tip of the cross is also available from Sudbrook Lane. Presently the site is improved with an existing one story brick office building which faces Reisterstown Road. To the rear of the building is a parking lot.

As to the property's zoning history, the use apparently was approved for a theatre by way of a special exception which was granted under case No. 71-152-SPH. Moreover, relief was also granted within that case to allow parking to the rear of the site within the residentially zoned portion of the property. However, the site is not presently used as a theatre and has not been so used. Instead, the existing one story building is occupied by Mr. Ginsberg's business which is a carpet/floor covering retail outlet known as Floors, etc.

The Petitioner and its tenant propose expanding the building by adding the addition to the rear. The addition will extend 65 ft. towards the rear of the property and will be 60 ft. in width, the same width as the present

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Date 2/10/94  
By Sh. Frank

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building. The addition is done so as to enable the Petitioner and its tenant to have more storage space and expand the tenant's business. No new use or different type of use is contemplated.

The proposed use mandates the zoning relief requested. Under the Petition for Special Hearing, a removal of the existing special exception is requested in view of the nature of the existing business. Clearly, this should be granted so as to clarify the zoning use of the property and to reflect actual conditions. Moreover, the parking arrangement will continue as before. As noted above, the parking area is in the rear of the site which is within that portion of the tract zoned D.R.5.5. In that this parking arrangement has existed for many years and is clearly established within the neighborhood, it is appropriate to reaffirm the parking use of this residential zone. Moreover, pursuant to the special hearing, approval of the current site plan, marked as Petitioner's Exhibit No. 1, is appropriate. This accurately reflects the existing situation and proposed improvements. Lastly, under the special hearing request, approval will be granted so as to allow the existing business signage. Testimony and evidence presented shows that a small business sign is located on the north portion of the tract immediately next to the entrance to the parking lot from Sudbrook Lane. This sign directs potential customers to this business and is necessary in view of the store frontage's location on Reisterstown Road. Thus, the special hearing should also be granted in this respect. As to the entire Petition for Special Hearing, I am indeed persuaded that same should be granted and that the existing use is not detrimental to the health, safety and general welfare of the surrounding locale, pursuant to Section 502.1 of the B.C.Z.R.

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Date 2/10/94  
By Sh. Frank

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As to the zoning variance, three different variances are, in fact, requested. The first is merely to legitimize the existing condition and reflect the current setback distance from Sudbrook Lane to the parking lot. That distance as shown on the site plan is 8 ft. in lieu of the required 10 ft. Again, this is a condition which has existed for some time and there is no evidence within the record that the current parking arrangement is injurious to the locale. Moreover, to require the Petitioner to maintain a 10 ft. setback distance would disrupt the parking scheme and cause a practical difficulty on this property owner.

The second variance relates to Section 409.8.B.2 of the B.C.Z.R. and requests permission to continue to allow deliveries, loading and unloading from the existing parking area. With the expansion of the building, and the installation of a loading dock on the rear thereof, loading, unloading and deliveries will take place on the parking area located in a D.R.5.5 zone. Again, although the expansion will slightly alter the size of the building, the number of deliveries and existing practice will continue. Again, I see no harm to the surrounding locale in approving this variance and same is appropriate. Thus, this will be granted.

The third variance relates to the number of existing parking spaces and number required. As shown on the site plan, 44 parking spaces are provided in lieu of the required 46. Originally, the plan was showed with two additional spaces on the south side of the site, so as to comply with the B.C.Z.R. However, these two spaces would disrupt the internal traffic flow not only generated by this site but also from adjacent users of the Realty Associates property and the existing hair salon both of which are located to the south of the site. These property owners, as well as the Pikesville Chamber of Commerce, have requested that access continue to be

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Date 2/10/94  
By Sh. Frank

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provided through the Petitioner's parking lot from their businesses to Sudbrook Lane. Thus, the Petitioner has kept that access open, thereby losing parking spaces. Although this is somewhat of a self inflicted hardship, it is clearly appropriate and desired in this case. All of the parties, including the Petitioner, its business neighbors and the Pikesville Chamber of Commerce are aware of the parking problems in this community and the need for uninterrupted traffic patterns. Thus, the variance will be granted in this respect and the site plan approved and incorporated as a part of this Order. That plan reflects continued available access to adjacent properties from this parking lot.

Having addressed the Petition for Special Hearing and Variances, it is to be further noted that certain conditions were requested to be attached to the relief granted by the Pikesville Chamber of Commerce. The Petitioner's counsel indicated that many of these comments were acceptable. Thus, certain shall be incorporated as conditions with this Order. The first relates to lighting on the property. The Chamber desires that lighting be left on until 11:00 P.M. each evening and potential new lighting be provided in the rear of the site to prevent crime and provide a safe environment for users of the property. This condition shall be adopted. The second condition relates to the utilization of the variance. Actually, the variance will be utilized as soon as same is granted. This is unlike a special exception case which might require construction. I see no need to incorporate this condition in view of the Petitioner's stated testimony that indicated that as soon as zoning relief is obtained, construction will begin. Third, the Petitioner has agreed to repave and restripe the lot to conform with the site plan. This restriction which is entirely appropriate should be incorporated. This, in fact, ties in with another restriction requested

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Date 2/10/94  
By Sh. Frank

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by the Chamber relating to the unimpeded traffic flow and access discussed above. Obviously, adoption of this site plan as a part of this Order will require the access to remain open as shown on the site plan.

The last restriction required is a standard comment offered by the Chamber regarding potential construction of public facilities elsewhere in Pikesville. In essence, the Chamber seeks a restriction requiring the property owner to enter into an arrangement with any public or private parking facility operator. I do not see the need to impose such a request in this situation. The parking variance as to the number of spaces is indeed minor (44 vs. 46) and the site does not generate a heavy volume of parking, thus, I will decline to enter that restriction offered by the Chamber of Commerce.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of February 1994, that a Petition for Zoning Variance from Section 409.8.A of the B.C.Z.R. to validate an existing parking setback from the street right of way of 8 ft. in lieu of the required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 of the B.C.Z.R. to permit a total of 44 parking spaces in lieu of the required 46, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.B.2.c. of the B.C.Z.R. to permit deliveries, loading and unloading from an existing parking area previously approved in a residential zone, be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING  
Date 2/10/94  
By Sh. Frank

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IT IS FURTHER ORDERED that, pursuant to a Petition for Special Hearing, approval for the removal of the existing special exception use for a theatre previously granted in case No. 71-152-SPH, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to reaffirm the use of commercial parking in a residential zone and to remove the conditions on said parking lot thereby modifying the site plan in the previous zoning case consistent with the present use, parking and design of the site, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to permit the continued use of a business sign at the entrance to the commercial parking lot in the residential zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner has agreed to keep the lighting on until 11:00 P.M. each evening and potential new lighting shall be provided in the rear of the site to prevent crime and provide a safe environment for users of the property.

3. The Petitioner has agreed to repave and restripe the lot to conform with the site plan.

Lawrence E. Schmidt  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

ORDER RECEIVED FOR FILING  
Date 2/10/94  
By Sh. Frank

LES:mmn

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 10, 1994

Howard L. Alderman, Jr., Esquire  
Levin and Gann  
305 W. Chesapeake Avenue, Suite 113  
Towson, Maryland 21204

RE: Case No. 94-248-SPHA  
Petitions for Special Hearing and Variance  
Schwaber Trust II, Petitioner

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn  
encl.  
cc: Mr. Gabriel W. Rosenbush, Jr., Pikesville Chamber of Commerce



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1110 Reisterstown Road

which is presently zoned BL-CNS & DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve.

SEE ATTACHED SHEET

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee  
Type or Print Name  
Signature  
Address  
City  
State  
Zip Code

(We do solemnly declare and affirm, under the penalties of perjury, that true are the legal owners of the property which is the subject of this Petition.)

Legal Owner(s)

SCHWABER TRUST II

By: Sidney Weiman, Trustee

Signature

Type or Print Name

Signature

Address

910 Reisterstown Road 484-6100

Baltimore, MD 21208

City

State

Zip Code

Name, Address and phone number of legal owner, correct purchaser or representative to be contacted

Howard L. Alderman, Jr., Esquire

LEVIN & GAMB, P.A.

305 West Chesapeake Avenue, Suite 113

Towson, Maryland 21204

Tel.: (410) 321-0600

Office Use Only

ESTIMATED LENGTH OF HEARING

the following date: 12/16/93 Next Two Months

ALL OTHER DATE

REVIEWED BY: JD DATE: 12/16/93

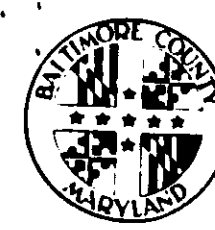
LEVIN & GAMB, P.A.  
305 West Chesapeake Avenue  
Suite 113  
Towson, Maryland 21204  
Attorney's Phone No.: (410) 321-0600

SCHWABER TRUST II  
1110 REISTERSTOWN ROAD

PETITION FOR SPECIAL HEARING - continuation sheet

Special Hearing Request:

with respect with the relief granted in Case No. 71-152-SPH to remove the existing special exception for a theater; to reaffirm the use approval of commercial parking in a residential zone; and to remove the conditions on parking and to modify the site plan in the previous zoning case consistent with the use, parking and design of the site, and to permit the continued use of a business sign at the entrance to the commercial parking in the residential zone, all as more particularly shown on the plat to accompany this Petition



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1110 Reisterstown Road

which is presently zoned BL-CNS & DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attached Sheet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Attached Sheet

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee  
Type or Print Name  
Signature  
Address  
City  
State  
Zip Code

(We do solemnly declare and affirm, under the penalties of perjury, that true are the legal owners of the property which is the subject of this Petition.)

Legal Owner(s)

SCHWABER TRUST II

By: Sidney Weiman, Trustee

Signature

Type or Print Name

Signature

Address

910 Reisterstown Road 484-6100

Baltimore, MD 21208

City

State

Zip Code

Name, Address and phone number of legal owner, correct purchaser or representative to be contacted

Howard L. Alderman, Jr., Esquire

LEVIN & GAMB, P.A.

305 West Chesapeake Avenue, Suite 113

Towson, Maryland 21204

Tel.: (410) 321-0600

Office Use Only

ESTIMATED LENGTH OF HEARING

the following date: 12/16/93 Next Two Months

ALL OTHER DATE

REVIEWED BY: JD DATE: 12/16/93

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 248 Date of Posting: 12/16/93  
Posted for: Special Hearing  
Petitioner: Sidney Weiman, Trustee  
Location of property: 1110 Reisterstown Road, Baltimore, MD 21208  
Location of Sign: 1110 Reisterstown Road, Baltimore, MD 21208  
Remarks: See attached sheet  
Posted by: JD Date of return: 12/16/93  
Number of Signs: 2

## CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec. 30, 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 30, 1993.

THE JEFFERSONIAN,

A. Hanisch  
LEGAL AD. - TOWSON  
Publisher

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 100 of the County Office Building, located at 111 W. Chesapeake Avenue, in Towson, Maryland 21204, on January 28, 1994 at 6:00 a.m. in Room 113, Old Courthouse.

Case Number: 94-248-SPHA (Item 248)

1110 Reisterstown Road

1110 Reisterstown Road, 100

8th of Sudbrook Lane

2nd Floor, Old

2nd Courthouse

Public Hearing

Schwaber Trust II

HEARING WEDNESDAY

JANUARY 28, 1994 at 6:00

a.m. in Room 113, Old

Courthouse.

Special Hearing with respect

with the relief granted in Case

71-152-SPH to remove the exist-

ing special exception for a the-

ater; to reaffirm the use approval

of commercial parking in a res-

idential zone; and to remove the

conditions on parking and to modify

the site plan in the previous zoning

case consistent with the use, parking

and design of the site, and to permit

the continued use of a business sign

at the entrance to the commercial

parking in the residential zone, all as

more particularly shown on the plat

to accompany this Petition.

Lawrence E. Schwaber,

Zoning Commissioner for

Baltimore County

NOTES: (1) Petition for Special

Hearing accepted for filing on

12/16/93.

Copy: Information

See Appendix, Case 94-248-SPHA.

12/16/93



December 15, 1993  
Description of 1110 Reisterstown Road to Accompany Petition for Special Hearing and Variance

BEGINNING FOR THE SAME at a point on the west side of Reisterstown Road (Maryland State Route 140, 66' R/W) 100 feet from the southwest corner of the intersection of Reisterstown Road and Sudbrook Lane (60' R/W).

Thence running with and binding on the west side of said Reisterstown Road,

(1) South 28 degrees 10 minutes East 64.3 feet;

thence leaving the west side of Reisterstown Road,

(2) South 61 degrees 38 minutes West 170.0 feet;

(3) South 28 degrees 10 minutes East 50.13 feet;

(4) South 61 degrees 38 minutes West 68.0 feet;

(5) North 28 degrees 10 minutes West 214.42 feet;

to the south side of Sudbrook Lane, thence binding on the south

side of Sudbrook Lane,

(6) North 61 degrees 38 minutes East 68.0 feet;

thence leaving the south side of Sudbrook Lane,

(7) South 28 degrees 10 minutes East 100.0 feet;

(8) North 61 degrees 38 minutes East 170.0 feet;

to the point of beginning containing 2.89 acres of land

more or less.

Note:  
This Description has been prepared for zoning purposes only.

1717 York Road • Suite 18 • Lutherville, MD 21093 • 410-628-9225 • Fax 410-628-9229

receipt



Zoning Administration & Development Management

1110 Reisterstown Road

Towson, Maryland 21204

Date: 12/16/93

Number: 94-248-SPHA

1110 Reisterstown Road

Towson, Maryland 21204

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1110 Reisterstown Road

Towson, Maryland 21204



**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

For newspaper advertising:

Case No. \_\_\_\_\_ Item No. 243

Petitioner: SCHWABER TRUST II

LOCATION: 1110 Reisterstown Road

PLEASE FORWARD ADVERTISING BILL TO:

Attn: Howard L. Alderman, Jr., Esquire

Address: 305 W. Chesapeake Avenue - Suite 113

Towson, MD 21204

Phone Number: (410) 321-0600

Attn: \_\_\_\_\_  
(Revised 1-24-93)

TO: **PETITIONER PUBLISHING COMPANY**  
December 10, 1993 Issue - Jeffersonian

Please forward billing to:

Howard L. Alderman, Jr., Esq.  
305 W. Chesapeake Avenue, Suite 113  
Towson, Maryland 21204  
410-321-0600

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-248-SPM (Item 248)  
1110 Reisterstown Road  
W/S Reisterstown Road, 100' SW of Sudbrook Lane  
3rd Election District - 2nd Councilmanic  
Petitioner(s): Schwaber Trust II  
HEARING: WEDNESDAY, JANUARY 25, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing with respect with the relief granted in case #75-152-SPM to remove the existing special exception for a theater to reaffirm the use approval of commercial parking in a residential zone; to remove the conditions on parking and to modify the site plan in the previous zoning case consistent with the use, parking, and design of the site; and to permit the continued use of business sign at the entrance to the commercial parking in the residential zone.

Variances to validate an existing parking setback from a street right-of-way of 8 feet in lieu of the 10 feet required; to permit a total of 44 parking spaces in lieu of the 46 required; and to permit deliveries, loading and unloading from an existing parking area previously approved in a residential zone.

LAWRENCE E. SCHWIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THIS FILE AND/OR HEARING, PLEASE CALL 887-3391.

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-248-SPM (Item 248)  
1110 Reisterstown Road  
W/S Reisterstown Road, 100' SW of Sudbrook Lane  
3rd Election District - 2nd Councilmanic  
Petitioner(s): Schwaber Trust II  
HEARING: WEDNESDAY, JANUARY 25, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing with respect with the relief granted in case #75-152-SPM to remove the existing special exception for a theater to reaffirm the use approval of commercial parking in a residential zone; to remove the conditions on parking and to modify the site plan in the previous zoning case consistent with the use, parking, and design of the site; and to permit the continued use of business sign at the entrance to the commercial parking in the residential zone.

Variances to validate an existing parking setback from a street right-of-way of 8 feet in lieu of the 10 feet required; to permit a total of 44 parking spaces in lieu of the 46 required; and to permit deliveries, loading and unloading from an existing parking area previously approved in a residential zone.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Schwaber Trust II/Sidney Weisman  
Howard L. Alderman, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THIS FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Typographic Ink  
on Recycled Paper

January 15, 1994

Howard L. Alderman, Jr., Esquire  
Levin & Gann, P.A.  
305 West Chesapeake Avenue, Suite 113  
Towson, Maryland 21204

RE: Case No. 94-248-SPM, Item No. 248  
Petitioner: Schwaber Trust II  
Petition for Special Hearing and Variance

Dear Mr. Alderman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all pertinent zoning commission, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 16, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

1-5-94

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 248

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for DAVID N. RAMSEY, ACTING CHIEF  
John Contestabile, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

1-5-94

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 248 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for DAVID N. RAMSEY, ACTING CHIEF  
John Contestabile, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: January 5, 1994

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 243, 248, 250, 251, 253, 255, 256, 257, and 259.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey N. Long*

Division Chief: *Pat Keller*

PK/JL:lw

ZAC-243/PZONE/ZAC1

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SCHWABER TRUST II

LOCATION: W/S REISTERSTOWN RD. 100' SW OF SUDBROOK LA.  
(1110 REISTERSTOWN RD.)  
Item No.: 248 (JLL)

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

RECEIVED  
JAN 5 1994  
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Prevention, PHONE 887-4881, MS 1102F

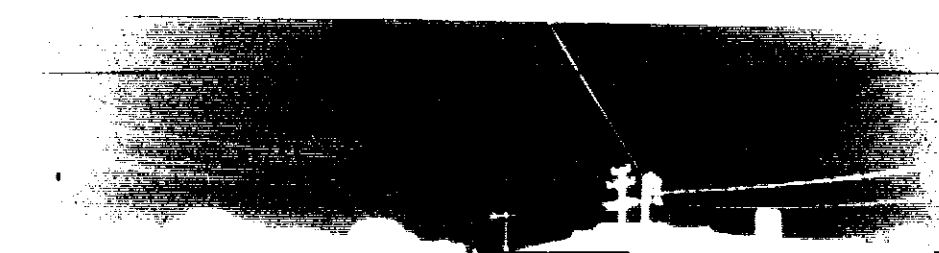
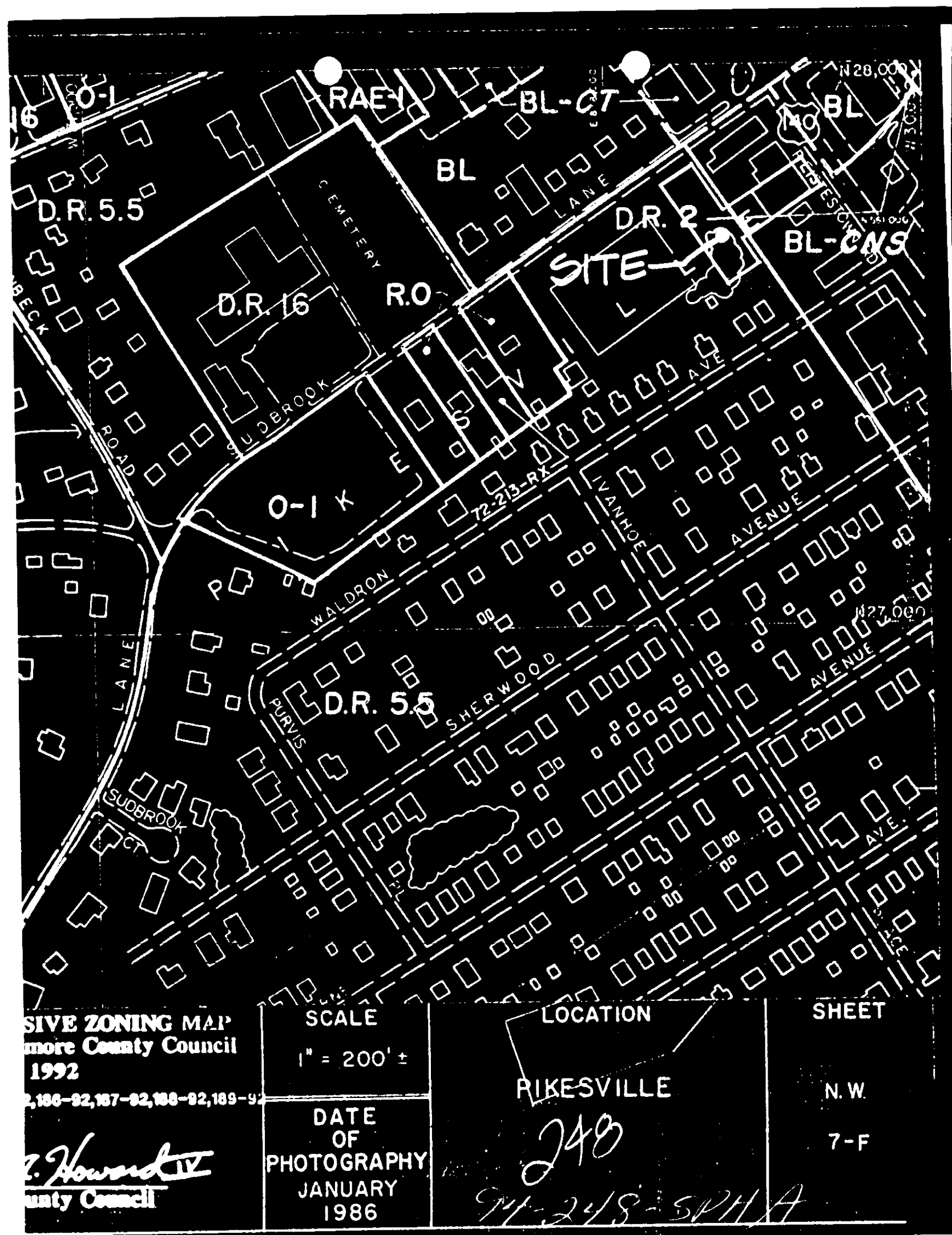
cc: File

LEVIN & GANN  
January 14, 1994  
Via Telefax and Regular Mail  
Lawrence E. Schmitt, Esquire  
Zoning Commissioner for Baltimore County  
400 Washington Avenue  
Towson, Maryland 21204  
RE: Zoning Hearing - 1110 Reisterstown Road  
Case No.: 94-248-SPHA  
Dear Commissioner Schmidt:  
I have received notice from the Office of Zoning and Administration Development Management that the hearing on the above-referenced property is scheduled for Wednesday, January 26, 1994. The notice sent originally indicated that the hearing would be on January 25, however, that date was stricken and the date of January 26 was hand-written in.  
I am in receipt of the Certificate of Publication from The Jeffersonian, where the Notice of Hearing is advertised as being on Wednesday, January 25, 1994. Obviously, January 25, 1994 is Tuesday and not Wednesday.  
I am advised by the current tenant in the subject location that the signs prepared and posted by Baltimore County indicate that the hearing is scheduled for January 26, 1994. I suggest that the hearing be held on January 26, 1994 and that a notice be posted on the hearing room on Tuesday, January 25, indicating the appropriate date of the hearing. We have worked cooperatively with the Pikeville Chamber of Commerce in addressing the issues of the community and we do not wish to delay the hearing on this matter.

Pikeville  
January 14, 1994  
Mr. Lawrence Schmitt  
Zoning Commissioner  
Baltimore County Office of Zoning  
111 W. Chesapeake Ave  
Towson, Md. 21204  
Re: 94-248 SPHA (ITEM 248)  
Dear Mr. Schmidt:  
The Zoning Committee of the Pikeville Chamber of Commerce has had the opportunity to meet with the representative of the petitioner in this case and has reviewed their request. We have also had the opportunity to review the revised plan which was submitted to your office on December 22, 1993.  
We find after due consideration that we can support all of the petitioners request provided the following provisions are written into the granting order:  
1) The petitioner should meet with the Baltimore Gas & Electric Co. to increase the exterior lighting provided for the rear parking lot. Further tenant should be instructed to keep their signs and the lights on the front of their stores and windows lit until at least 11:00 p.m. each evening.  
2) In the event that the Parking variance granted is not utilized within a period of two (2) years from the date of its grant, then in that event the variance will cease and the property will revert to its then current underlying zoning and applicable parking regulation. Further, in the event the specific use shall cease and a new and different use be utilized, then in that event the variance will cease and the property will revert to its then current underlying zoning and applicable parking regulation.  
3) In the event that any new parking facilities, public or private, are established within 1,000 feet of the subject property, for which there is a charge and which are made available to the public during normal business hours, the Petitioner shall negotiate in good faith and subsequently enter into an agreement which is economically feasible to the Petitioner and which will provide either for a lease, a purchase, a validation program or any similar program which may be approved by the Zoning Commissioner, to off set the parking variance for the specific use which is being proposed at this time.  
4) It being understood and agreed that the parking lot will be repaved and restriped to conform to the submitted plan.

HOFF & ANTONUCCI, ASSOCIATES  
Landscape Architects  
1717 York Road, Suite 1B  
LUTHERVILLE, MARYLAND 21093  
(410) 628-9225  
LETTER OF TRANSMITTAL  
DATE 12/22/93 JOB NO. 217-01  
PROJECT: SOPHIE  
1110 REISTERSTOWN RD.  
248  
REVISED  
12/22/93  
TO: ZONING  
WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via the following items:  
☐ Shop drawings ☒ Prints ☐ Plans ☐ Samples ☐ Specifications  
☐ Copy of letter ☐ Change order ☐  
COPIES DATE NO. DESCRIPTION  
12 12/22/93 2-1 PLAN TO ACCOMPANY PETITION  
THESE ARE TRANSMITTED as checked below:  
☐ For approval ☐ Approved as submitted ☐ Resubmit \_\_\_\_\_ copies for approval  
☐ For your use ☐ Approved as noted ☐ Submit \_\_\_\_\_ copies for distribution  
☒ As requested ☐ Returned for corrections ☐ Return \_\_\_\_\_ corrected prints  
☐ For review and comment ☐  
☐ FOR BIDS DUE \_\_\_\_\_ 19 ☐ PRINTS RETURNED AFTER LOAN TO US  
REMARKS:  
COPY TO:  
SIGNED: THOMAS J. HOFF

PLEASE PRINT CLEARLY  
PETITIONER(S) SIGN IN SHEET  
NAME: THOMAS J. HOFF  
ADDRESS: 1717 YORK RD SUITE 1B LUTHERVILLE, MD 21093  
305 W. Chesapeake #113

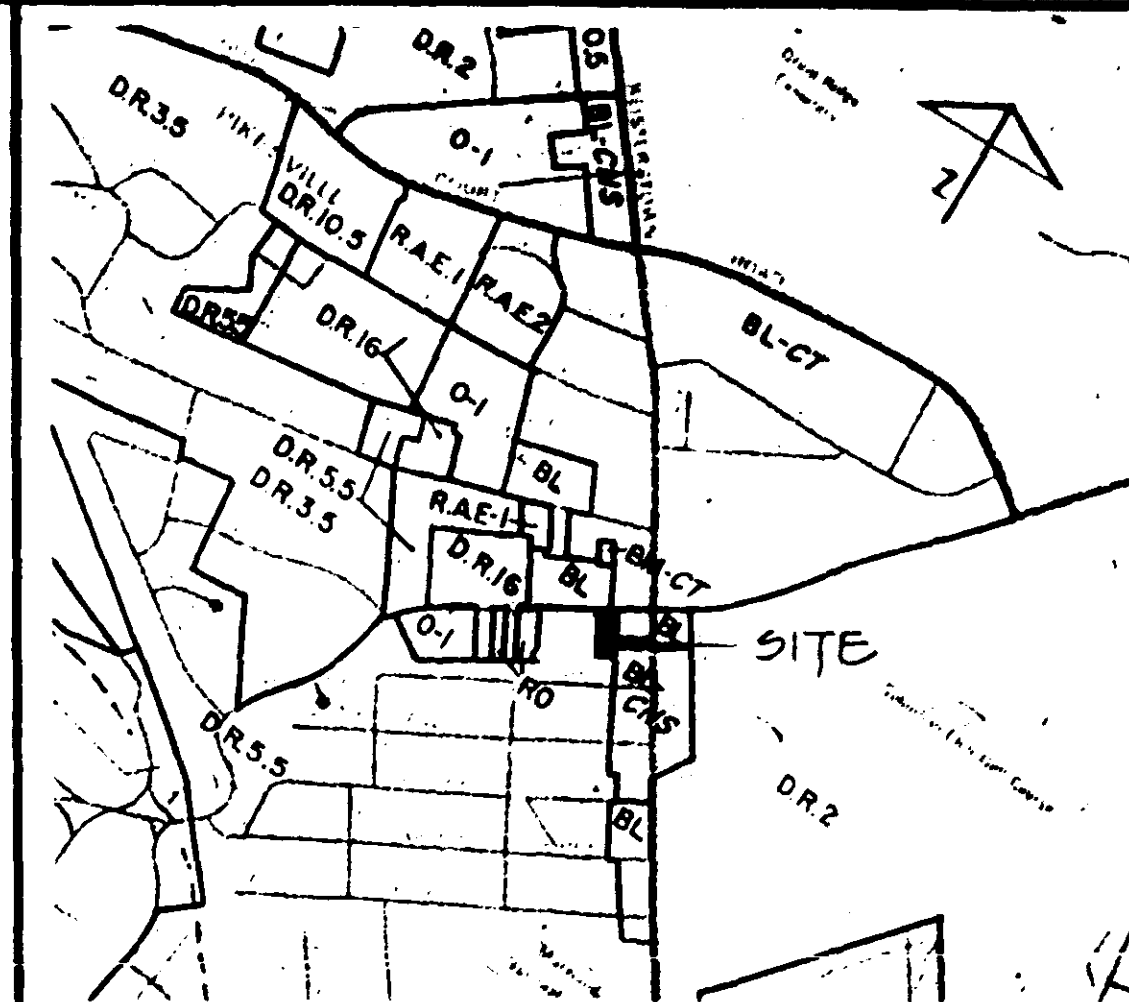
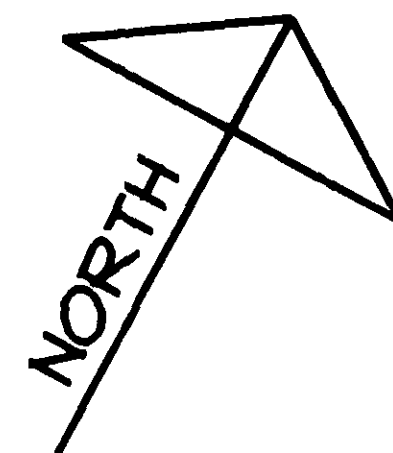
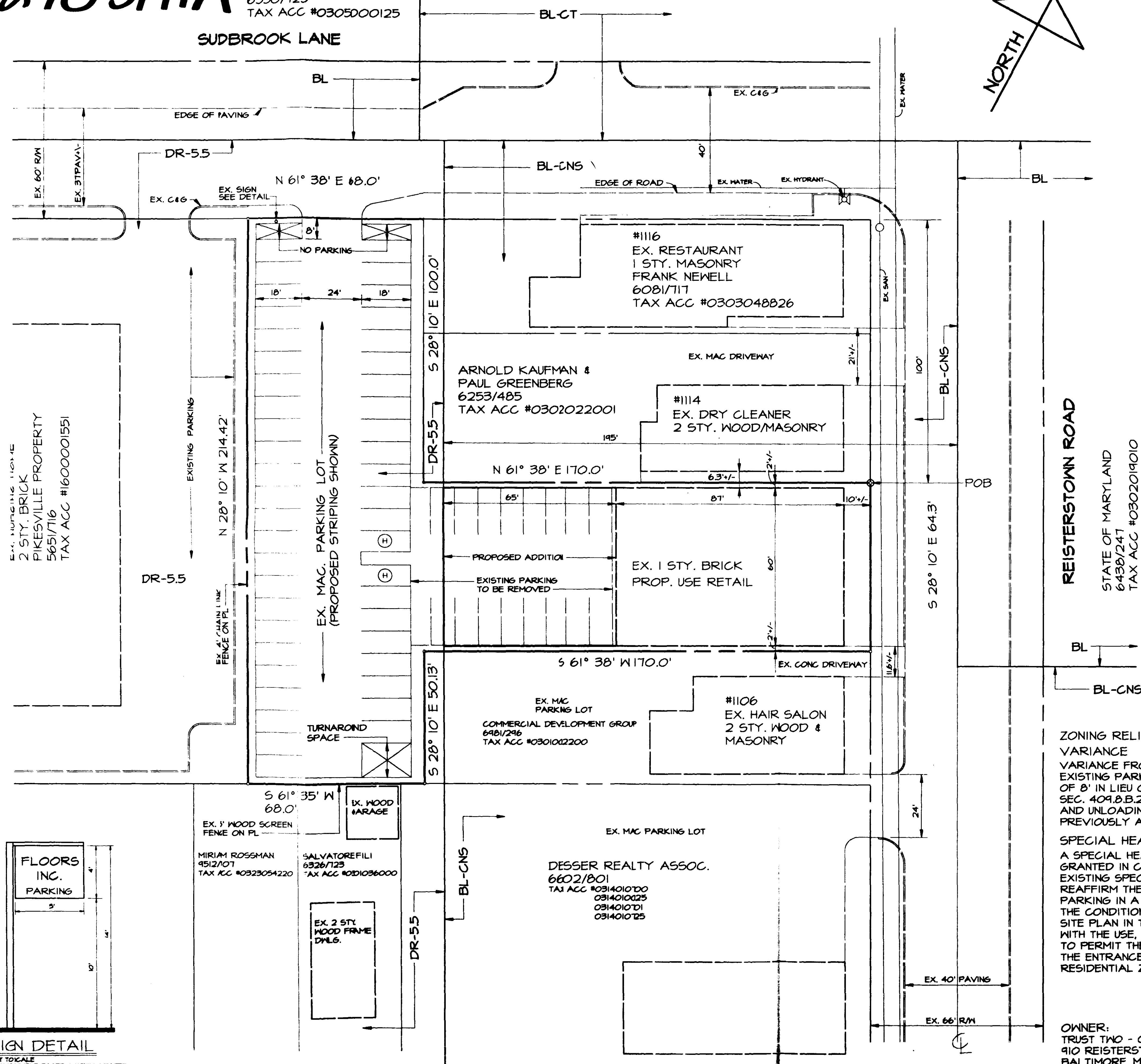




# 94-248-SPHA

FERDINAND EAST  
6550/123  
TAX ACC #0305000125

SUDBROOK LANE



VICINITY MAP  
SCALE: 1"=1000'

## GENERAL NOTES:

PROPERTY OUTLINE AND TOPOGRAPHIC INFORMATION SHOWN HEREON TAKEN FROM DEEDS, PLATS AND COUNTY RECORDS AND DOES NOT REPRESENT A FIELD RUN SURVEY.

## ZONING HISTORY:

CASE NO. 71-152-SPH  
GRANTED SPECIAL EXCEPTION FOR A MOVIE THEATER IN A BL ZONE AND COMMERCIAL PARKING IN A DR ZONE.

## PARKING RESTRICTIONS:

- 1) LAND ADJOINING THE BUSINESS INVOLVED.
- 2) ONLY PASSENGER VEHICLES, EXCLUDING BUSES, WILL USE PARKING AREA.
- 3) NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED.
- 4) LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE AND INTENSITY, AS REQUIRED.
- 5) SCREENING BY A WALL, FENCE, PLANTING AND/OR OTHERWISE SHALL BE REQUIRED AS DEEMED ADVISABLE BY THE OFFICE OF PLANNING.
- 6) A PAVED SURFACE, PROPERLY DRAINED, SHALL BE PROVIDED.
- 7) A SATISFACTORY PLAN, SHOWING PARKING ARRANGEMENT AND VEHICULAR ACCESS SHALL BE PROVIDED.
- 8) METHOD AND AREA OF OPERATION, PROVISION FOR MAINTENANCE AND PERMITTED HOURS OF USE SHALL BE SPECIFIED AND REGULATED AS REQUIRED. HOURS OF USE TO SUPPORT OPERATION OF THEATRE ONLY BETWEEN 12 NOON AND 12 PM.

## COMMERCIAL BLDG. PERMIT HISTORY:

#281-63  
#2195-87 - ALTERATION  
#1203-88 - ALTERATION  
#2084-88 - ADDITION

## SITE DATA:

GROSS AREA OF SITE.....0.68 AC +/-  
NET AREA OF SITE.....0.54 AC +/-  
EXISTING ZONING.....BL-CNS  
BL-CNS.....0.24 AC +/-  
DR-55.....0.35 AC +/-  
EXISTING USE.....RETAIL  
PROPOSED USE.....RETAIL  
EXISTING BLDG.....5220 SF  
PROPOSED BLDG.....9120 SF  
EXISTING PARKING.....60 SPACES  
PARKING REQUIRED FOR PROPOSED BLDG  
@ 5/1000 SF.....45.6 SPACES  
PARKING PROPOSED.....46  
EXISTING F.A.R.....0.5  
PROPOSED F.A.R.....0.9

## PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING & VARIANCE

1110 REISTERSTOWN ROAD

2nd COUNCILMATIC DISTRICT  
3rd ELECTION DISTRICT, BALTIMORE CO., MD

HOFF &  
ANTONUCCI  
ASSOCIATES

Land Development  
Consultants  
and Landscape  
Architects

1717 York Rd., Suite 18  
Lutherville, MD 21093  
410-628-9225

## REVISIONS:

SCALE: 1"=20'

DATE: 12/18/93

JOB NO.: 217-01

DESIGNED: T.J.H.

DRAWN: T.J.H.

CHECKED:

DRAWING NUMBER:

Z-1

SHEET 1 OF 1

REISTERSTOWN ROAD

STATE OF MARYLAND  
6-438/247  
TAX ACC #0302019010  
#0302019010

## ZONING RELIEF REQUESTED:

VARIANCE  
VARIANCE FROM BCZR SEC. 409.8.A TO VALIDATE AN EXISTING PARKING SETBACK FROM A STREET R/W OF 8' IN LIEU OF THE 10' REQUIRED; AND FROM BCZR SEC. 409.8.B.2.c TO PERMIT DELIVERIES, LOADING AND UNLOADING FROM AN EXISTING PARKING AREA PREVIOUSLY APPROVED IN A RESIDENTIAL ZONE.

## SPECIAL HEARING

A SPECIAL HEARING WITH RESPECT WITH THE RELIEF GRANTED IN CASE NO. 71-152-SPH TO: REMOVE THE EXISTING SPECIAL EXCEPTION FOR A THEATER; TO REAFFIRM THE USE APPROVAL OF COMMERCIAL PARKING IN A RESIDENTIAL ZONE; AND TO REMOVE THE CONDITIONS ON PARKING AND TO MODIFY THE SITE PLAN IN THE PREVIOUS ZONING CASE CONSISTENT WITH THE USE, PARKING AND DESIGN OF THE SITE; AND TO PERMIT THE CONTINUED USE OF A BUSINESS SIGN AT THE ENTRANCE TO THE COMMERCIAL PARKING IN THE RESIDENTIAL ZONE.

OWNER:  
TRUST TWO - CECILIA SCHWABER  
910 REISTERSTOWN RD.  
BALTIMORE, MD. 21208  
ATTENTION:  
MARK WAGONHEIM  
DIRECTOR OF REAL ESTATE

248

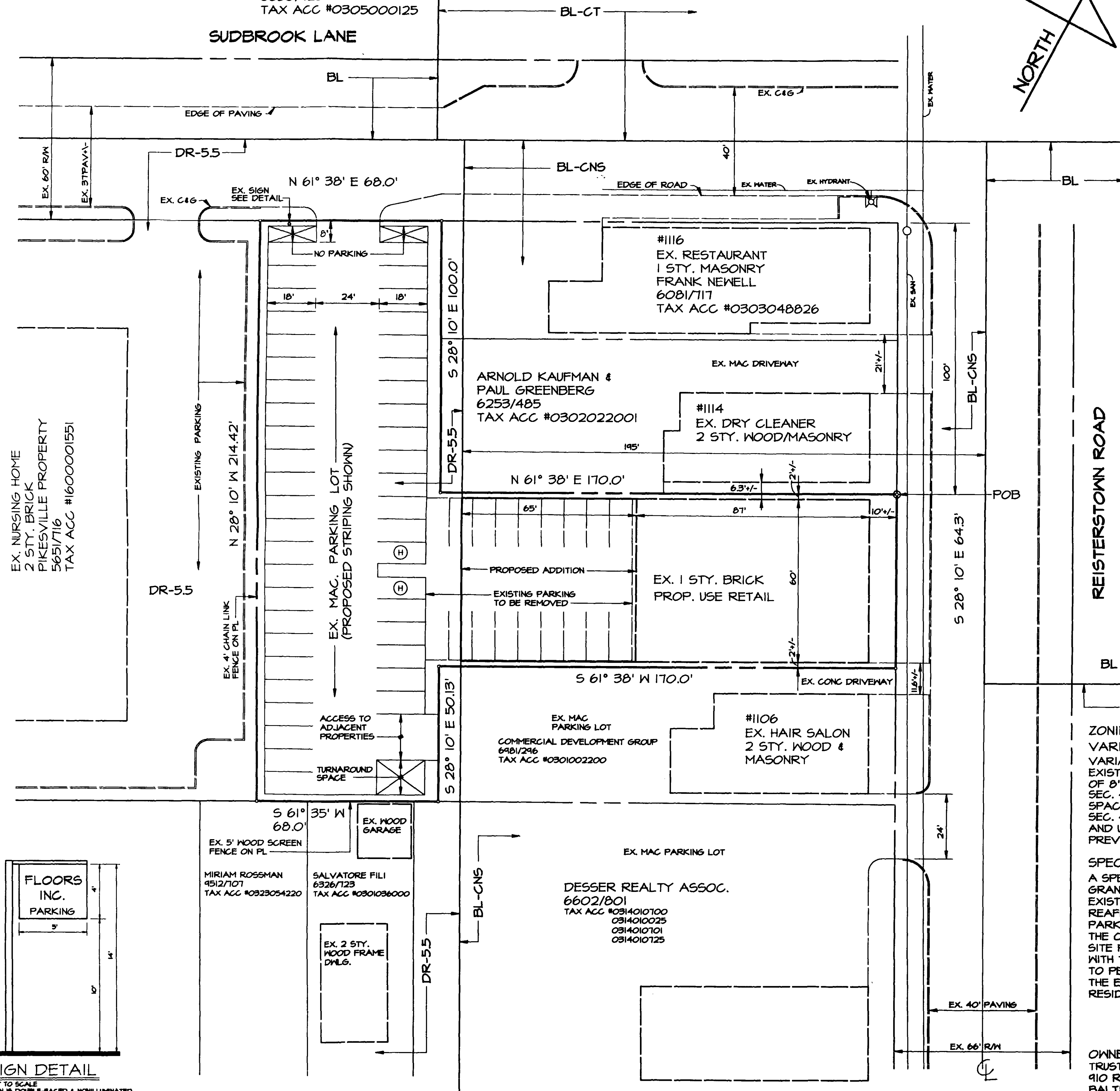
## SIGN DETAIL

NOT TO SCALE  
SIGN IS DOUBLE-FACED & NONILLUMINATED  
20' WIDE SIDE, 40' SF TOTAL

15  
14  
13  
12  
11  
10  
9  
8  
7  
6  
5  
4  
3  
2  
1

FERDINAND EAST  
6550/123  
TAX ACC #0305000125

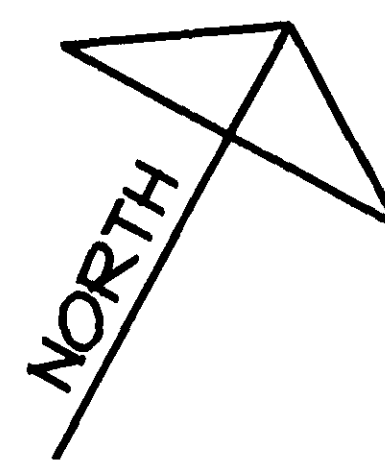
SUDBROOK LANE



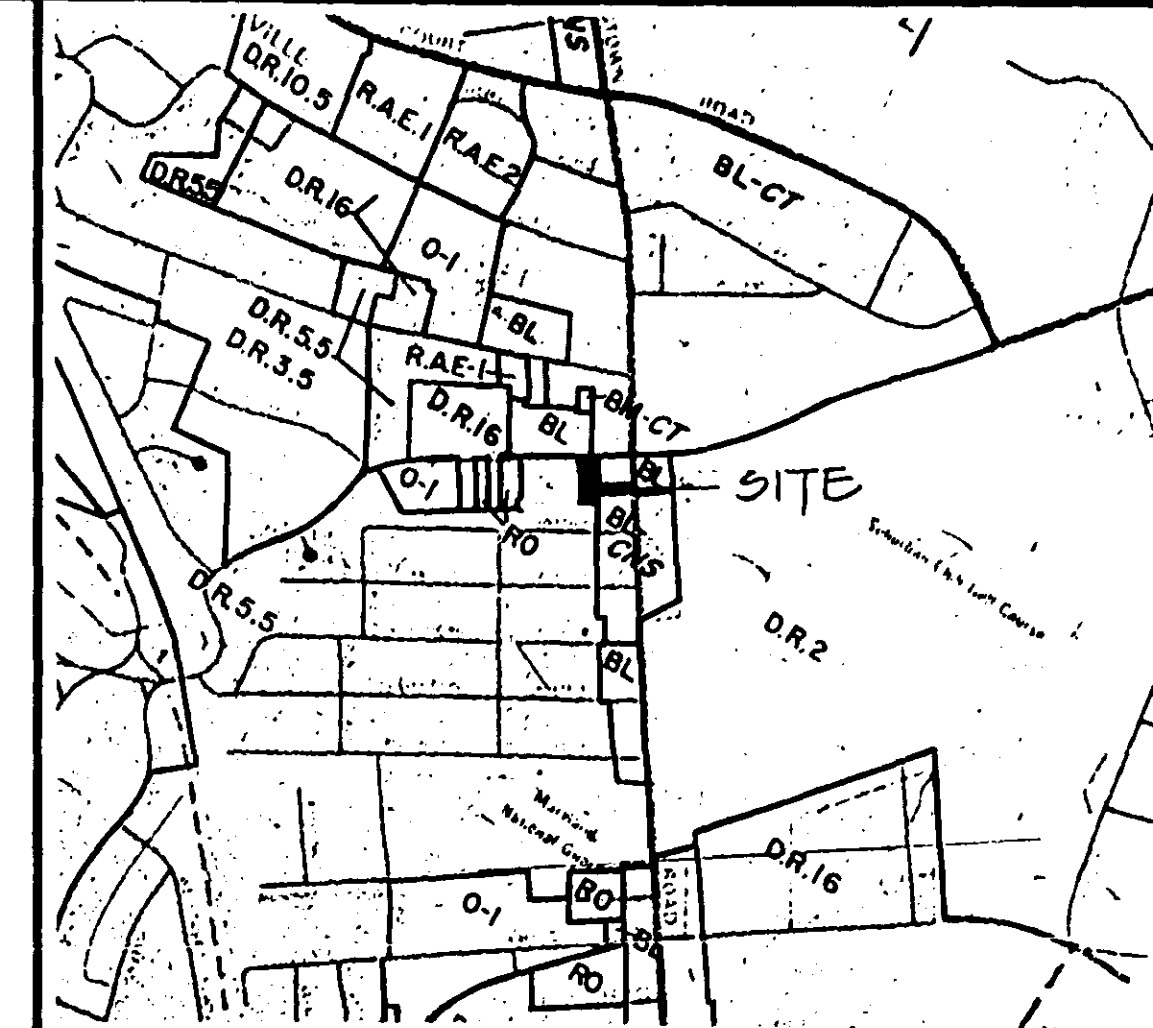
EX. NURSING HOME  
2 STY. BRICK  
PIKESVILLE PROPERTY  
5651/716  
TAX ACC #16000001551

FLOORS  
INC.  
PARKING

SIGN DETAIL  
NOT TO SCALE  
SIGN IS DOUBLE-FACED & NONILLUMINATED  
20 SF EACH SIDE, 40 SF TOTAL



94248 Spha



VICINITY MAP  
SCALE: 1"=1000'

GENERAL NOTES:  
PROPERTY OUTLINE AND TOPOGRAPHIC INFORMATION SHOWN  
HEREON TAKEN FROM DEEDS, PLATS AND COUNTY RECORDS  
AND DOES NOT REPRESENT A FIELD RUN SURVEY.

ZONING HISTORY:  
CASE NO. TH-152-KSPH  
GRANTED SPECIAL EXCEPTION FOR A MOVIE THEATER IN A  
BL ZONE AND COMMERCIAL PARKING IN A DR ZONE.

PARKING RESTRICTIONS:  
1) LAND ADJOINING THE BUSINESS INVOLVED.  
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#1203-88 - ALTERATION  
#2084-88 - ADDITION

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NET AREA OF SITE	0.54 AC +/-
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EXISTING USE	RETAIL
PROPOSED USE	RETAIL
EXISTING BLDG.	5220 SF
PROPOSED BLDG.	4120 SF
EXISTING PARKING	60 SPACES
PARKING REQUIRED FOR PROPOSED BLDG	
5/1000 SF	45.6 SPACES
PARKING PROPOSED	44
EXISTING F.A.R.	0.5
PROPOSED F.A.R.	0.9

ZONING RELIEF REQUESTED:  
VARIANCE  
VARIANCE FROM BCZR SEC. 409.8.A TO VALIDATE AN  
EXISTING PARKING SETBACK FROM A STREET R/W  
OF 8' IN LIEU OF THE 10' REQUIRED; FROM BCZR  
SEC. 409.8.A.2 TO PERMIT A TOTAL OF 44 PARKING  
SPACES IN LIEU OF THE 46 REQUIRED; AND FROM BCZR  
SEC. 409.8.B.2.c TO PERMIT DELIVERIES, LOADING  
AND UNLOADING FROM AN EXISTING PARKING AREA  
PREVIOUSLY APPROVED IN A RESIDENTIAL ZONE.

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WITH THE USE, PARKING AND DESIGN OF THE SITE; AND  
TO PERMIT THE CONTINUED USE OF A BUSINESS SIGN AT  
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RESIDENTIAL ZONE.

OWNER:  
TRUST TWO - CECILIA SCHWABER  
410 REISTERSTOWN RD.  
BALTIMORE, MD. 21208  
ATTENTION:  
MARK WAGONHEIM  
DIRECTOR OF REAL ESTATE

PLAT TO ACCOMPANY PETITION FOR  
SPECIAL HEARING & VARIANCE

1110 REISTERSTOWN ROAD

2nd COUNCILMATIC DISTRICT  
3rd ELECTION DISTRICT, BALTIMORE CO., MD

HOFF & ANTONUCCI  
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1717 York Rd., Suite 18  
Lutherville, Md. 21093  
410-628-9225

REVISIONS:  
12/22/93 - REVISE  
PARKING - TH  
248  
REVISED  
12/22/93

SCALE: 1"=20'
DATE: 10/20/93
JOB NO.: 217-01
DESIGNED: TJH
DRAWN: TJH
CHECKED:
DRAWING NUMBER: Z-1
SHEET 1 OF 1